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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

IN THE MATTER OF:
SOUTHEAST SUPPLY PROJECT

Lucedale Rocky Creek Inn
120 Woods Ridge Road
Lucedale, MS 39452
Monday, May 21, 2007

The above-entitled matter came on for
public meeting, pursuant to notice at 6:10
p.m.

MODERATOR: VAN BUTTON, FERC

1 PROCEEDINGS

2 MR. BUTTON: Good evening, Ladies and
3 Gentlemen. We are here tonight at a public
4 comment meeting required by the National
5 Environmental Policy Act. We are here
6 tonight to comment on the Federal Energy
7 Regulatory Commission's Draft Environmental
8 Impact Statement for the Southeast Supply
9 Header Project; that would be FERC Docket
10 Number CP07-44 and CP07-45.

11 The proposed Southeast Supply Header
12 Project will consist of 270 miles of natural
13 gas pipeline and associated facilities
14 capable of transporting 1.14 billion cubic
15 feet per day of natural gas. The proposed
16 pipeline would start in Delhi, Louisiana and
17 run diagonally across the state of
18 Mississippi to Coden, Alabama. The FERC is
19 considering authorizing construction of the
20 project under the Natural Gas Act. Other
21 agencies who are formally cooperating because
22 of their expertise or are legally required to
23 by the National Environmental Policy Act
24 include the Army Corps of Engineers, the U.S.
25 Fish and Wildlife Service, the National Park

1 Service and the Environmental Protection
2 Agency.

3 My name is Van Button, I'm a federal
4 employee. I work specifically for the
5 Federal Energy Regulatory Commission. With
6 me here is Scott Flickinger who works for
7 Tetra Tech who is a contractor working for
8 us, and his group has done the lion's share
9 of the work involved with preparing this
10 environmental document.

11 In the back of the room, also with
12 Tetra Tech is Libby Claggett, uh, and she's
13 running the table in the -- in the back
14 there. Also here tonight are representatives
15 of Southeast Supply Header Project who, along
16 with us, will be available after the meeting
17 to address any questions you might wish to
18 have informally addressed. And if you're
19 interested in, uh, just looking where your,
20 uh - where your properties or lands are on
21 the map, we also have maps available. But,
22 again, the major purpose of tonight's meeting
23 is to get your comments on the Record.

24 We've taken our best shot at
25 accounting for the impacts to the natural and

1 human environment in this book, and now it's
2 your turn to bring to our attention what we
3 may have missed in its preparation. For that
4 purpose, we have a sign-up sheet in the back
5 of the room. We will take speakers in the
6 order with which they've signed up. I do ask
7 you to keep your comments relatively brief.

8 I don't think we have a lot of
9 speakers planned this evening, so, uh, I
10 believe everybody who wishes to, uh, can
11 speak to the Record. But, when I get a hold
12 of the sign-up sheet and see how many people
13 want to speak, I may cut people off after
14 about two minutes or so. But, if somebody,
15 uh, says something that, uh, that you would
16 like to speak to or gives you an idea that
17 you would like to address, please go ahead
18 and go to the back of the room there and, uh,
19 sign up on the sheet so, uh, we'll get you -
20 get you on the Record.

21 There's also a sheet in the back if
22 you want - if you want to be on the mailing
23 list for the project and receive information
24 about the project, you can get on the list
25 for that. There's also information in the

1 back about, uh, how to get signed up to
2 receive information over the internet through
3 the FERC's website, and also some general
4 information about the, uh - about your legal
5 rights if a pipeline is proposed for crossing
6 your land.

7 We do encourage you to submit written
8 comments. Uh, if you have a copy of what you
9 want to say, uh, typed up, you can submit
10 them to the court reporter here and that will
11 help us make sure that your comments are
12 included word-for-word. You also have until
13 June 18th to get comments in to the Record at
14 FERC, comments on the Draft Environmental
15 Impact Statement. Uh, all of your comments
16 for the Record which are put in by June 18th
17 will be addressed directly by us in the Final
18 Environmental Statement. Your comments will
19 be part of an appendix which will be, again,
20 published for the Record.

21 Our court reporter has asked all
22 speakers, uh, to come up to the front and
23 speak in the mic here and to speak clearly
24 and to state your name, and if you're
25 representing somebody other than just

1 yourself to tell us who that is. If you have
2 a difficult to spell - to spell name, please
3 spell it out for us or give us a card so we
4 can get your name right.

5 Please talk one at a time. Please
6 don't lean on the mic or cover it up with
7 papers. And finally, for my part of the
8 speaking here, I assume that everybody here
9 is aware that this meeting tonight is part of
10 a process which has been going on for quite
11 some time now. Our pre-filing process on
12 this project was initiated a year ago.
13 Southeast Supply Header has had a number of
14 open houses. The Federal Energy Regulatory
15 Commission has - has had a number of scoping
16 sessions last year on the project.

17 There's been a great deal of time and
18 effort spent trying to identify each and
19 every individual and organization who has a
20 direct interest of any kind with this
21 project. And, if for some reason, this
22 project is new to you, we - we very much
23 want to make sure that, uh - that you
24 receive the information about the project,
25 which you should. And I do hope that you'll

1 contact us after the meeting tonight to make
2 sure that we have your contact information
3 and can provide you information that you feel
4 you need about the project.

5 Does anyone have any questions about
6 how the process is supposed to work here
7 tonight? Yes, sir?

8 UNIDENTIFIED SPEAKER: Will the sign-
9 in sheet back here in the back, will that be
10 available on the FERC website or -

11 MR. BUTTON: Um, no. I mean, anybody
12 who, uh - the mailing list is - is not
13 available. The list of everybody who's
14 commented formally will be. And the mailing
15 list of those who receive copies of the
16 environmental documents are also part of the
17 environmental document.

18 Any other questions before we, uh,
19 begin the, uh, comments for the record?

20 (No response.)

21 Libby, you got a - can I have the
22 sheet?

23 (The sign-up sheet is brought
24 forward.)

25 MR. BUTTON: Larry Finter.

1 MR. FINTER: Good evening, my name's
2 Larry Finter. I'm with the Pipeline Workers
3 of America. Um, I was born and raised in
4 Alabama just across the state line over here.
5 I grew up in the community of Tanner
6 Williams. My father was born here in
7 Lucedale, my great-grandfather was out there
8 and raised corn. I learned to swim here on
9 the Escatawpa River and the clear waters of
10 that river.

11 I'm a proud member of the Pipeline
12 Workers of America, an organization dedicated
13 to improving working conditions to pipeline
14 workers and protecting the interest of
15 pipeline workers in their communities. The
16 Pipeline Workers of America have strong
17 ethics for best value contracting and the
18 Blue Green Alliance. As such, an
19 organization seeks to ensure that the project
20 applicants, CenterPoint and Spectra Energy
21 and Willrose, the selected contractor for the
22 proposed Southeast Supply Header, also called
23 SESH, project to comply with all applicable
24 requirements, including NEPA and other
25 environmental laws like the Clean Water Act,

1 as well as health and safety and public
2 safety requirements.

3 In other words, we are here to make
4 sure that square corners are turned to in
5 every aspect of construction and operation of
6 the SESH pipeline. Why? Because our
7 livelihood and the health and safety of
8 pipeline workers, our families, our
9 communities and our environment depend on
10 every pipeline being built and operated
11 safely, properly and in full compliance with
12 all applicable laws and regulations.

13 Now, I've worked in the pipeline
14 industry for many years. I have seen the
15 damage caused by building pipelines and the
16 danger to communities around pipelines not
17 properly constructed. As a lifelong
18 Alabamian I'm here tonight to make sure that
19 these mistakes are not made here in our
20 backyard because Alabama and Mississippi
21 deserve better.

22 We have struggled through some tough
23 times; Katrina and all, but we are digging
24 ourselves out of it. And like always we'll
25 stand up for ourselves and our friends and

1 our neighbors. We want to make sure that the
2 SESH pipeline project does not be - end up
3 being a bad choice for Mississippi. So,
4 we're going to make sure that this SESH
5 pipeline that CenterPoint and Spectra Energy
6 want to build is the right pipeline to build
7 for Mississippi and it's built in the right
8 way so it does not put first responders like
9 firefighters, police officers and medical
10 personnel at risk.

11 I want to make sure that our rivers
12 and streams are not spoiled by sloppy
13 construction techniques. That our proud
14 state waters continue to be a great place to
15 catch fish, or at least try to. That impacts
16 on Mississippi's rare wetlands are minimized
17 and mitigated so the populations of
18 threatened and endangered species like the
19 gopher tortoise and the red cock-headed
20 woodpecker can be restored, and my
21 grandchildren can learn about and explore
22 rare wetlands like the pitcher plant bogs
23 that currently will be destroyed if this
24 project goes forward as proposed.

25 I also want to make sure that my

1 friends' and neighbors' forest and farmlands,
2 their land and property rights are not
3 trampled on. That we will be treated with
4 respect and that Mississippi stays a special
5 place.

6 We'll be submitting written comments
7 on the Draft Environmental Impact Statement
8 that FERC has issued elaborating on my
9 comments tonight. And we will be making a
10 formal written request for a public hearing
11 on wetland's permit issues per the Army Corps
12 of Engineers public notice for the SESH
13 project SAM2007-064 and 065.

14 I appreciate the opportunity to speak
15 here tonight. Thank you.

16 (Clapping.)

17 MR. BUTTON: Our next speaker is James
18 Middleton.

19 MR. MIDDLETON: My name is James
20 Middleton and I'm a resident of Alabama. I'm
21 a landowner. I'd like to, uh, start - I've
22 sent several letters to FERC, and I'd like to
23 read them so some of the others can hear what
24 I had to say about this pipeline going across
25 my property.

1 This letter was sent on September 22,
2 2006: "I, James Middleton, and my wife Marita
3 Middleton, are submitting this letter to you
4 as a comment to the notice of intent in the
5 above referenced docket number. I will
6 attempt to address my concerns that will
7 affect my property and also suggest alternate
8 routes for the proposed pipeline. My
9 property is the southwest quarter in the
10 Section 8 and contains the four south and
11 four west, containing 157 and a half acres.

12 "The parcel of land was patented in
13 1892. It has changed owners through the
14 years, the same parcel, without being broken
15 up. I have owned the property for nearly 40
16 years. I have farmed this parcel
17 continuously since I purchased the parcel,
18 growing corn, wheat, soybean, cotton and
19 cattle. I have farmed all my life since I
20 was nine years old, driving a tractor with my
21 father plowing sweet potatoes.

22 "In a few months I will be 70 years
23 old. This land and other parcels that I own
24 - that I own are considered part of my
25 family. The land has helped me raise three

1 successful children. In the meantime, while
2 doing this, my farmland helped feed, clothe
3 and educate approximately 600 people. I know
4 personally how a pipeline affects someone.

5 "I personally have two pipelines,
6 three-quarters of a mile across another 288
7 parcel that I own. The pipeline owners claim
8 that there is no damage as time goes by.
9 These two pipelines were installed on my
10 property at different times in the past 15
11 years. I have gotten my tractor stuck in
12 soft dirt that takes years to settle over the
13 pipelines in the high and heavy rain when it
14 is planted and this causes water to settle
15 and rust for mosquitoes to raise. In dry
16 years this hundred foot strip that they
17 require to work with the pipe installed
18 failed to make a crop.

19 "The two pipelines across the swamp
20 area on each side of my property, and the
21 swamps are bidden down by beavers and nutria.
22 This has caused standing water to make a
23 breeding ground for mosquitoes. These swamps
24 are supposed to be kept clean by the pipeline
25 owners. The trees are nearly 20 feet tall.

1 "I'm very patriotic and I believe in
2 doing everything to better my country. I
3 feel like I have given my land potential for
4 pipelines. These two pipelines lack nearly
5 700 feet across another parcel of land I own
6 north of this parcel.

7 "This parcel that the pipeline would
8 be crossing, this left side, is highly
9 erodible by the USDA. I have to maintain
10 certain farming practices to participate in
11 government programs. This parcel has several
12 ponds and when flooding occurred left
13 standing water to form over the pipelines.

14 "I am pleading that FERC will see the
15 damage to our precious land that is
16 disappearing at an alarming degree. I am
17 asking that this pipeline be moved to other
18 class of soil that are not as productive as
19 my farmland. There are alternate routes to
20 this line. I hope to furnish maps as soon as
21 I am able to obtain them.

22 "I have attended the meeting that
23 FERC has had at Lucedale and vented some of
24 my concerns at the time. This parcel has one
25 mile of road on it that will make it

1 potentially valuable property in the future.
2 If the outcome is that man cannot use his
3 farmland, a pipeline through the middle will
4 greatly devalue the parcel of land for use as
5 a whole parcel. The land is my 401K plan.
6 Because farming operation over the years,
7 I've had to put every penny into next year's
8 production."

9 This letter was sent to FERC on
10 February the 13th: "I, James Middleton and my
11 wife Marita Middleton, are submitting some
12 alternate maps for FERC to consider. I would
13 ask that FERC look closely at the alternate
14 route that connects Section L with Transco
15 and, uh, the Destin line near Lucedale.
16 These lines are already established. Another
17 route would be to move the pipeline west one
18 mile which will then go southeast through
19 mainly wooded areas.

20 "My property is joining the sewers
21 and a half mile of 16th section land that is
22 also farmed. The line crosses diagonally
23 across the 16th Section school land. This
24 land belongs to the school system of Alabama
25 and would be forever restricted for the

1 greatest potential use. I would also like to
2 state, again, my farm is - land is highly
3 eroded.

4 "Since my earlier comments I have
5 harvested some hay from two pipelines across
6 my property. The hundred foot strip that
7 they - they do yielded 15 percent (15%)
8 whereas the adjoining year was 85 percent
9 (85%) in a dry year.

10 "So, the pipeline owners say all is
11 equal is not the truth. This has caused me
12 to have to purchase some hay for my cattle.
13 My belief is that FERC understands farming
14 and it's resources, food and staples to
15 supply this great company. I have furnished
16 a map marking this request."

17 Um, one other thing; where this
18 pipeline is crossing out there, Mobile is
19 expanding greatly coming west and no
20 boundable water on the south and east. But,
21 my piece of property there, they made a
22 complete center to it. In other words, they
23 didn't try to go down the side, the edge or
24 anything. They plan on clear sailing across
25 me. They made a 90 degree turn and came

1 across the center of my property. Well, they
2 were talking about being able to bypass
3 around Mobile, and I'm within a few miles of
4 the potential of this bypass.

5 So, for them to come in there and
6 split my land up, it - it's - well, the
7 potential is gone of it, 160 acre piece of
8 land. Wal-Mart come in there and they say,
9 what - is there any restriction on it?
10 Yeah, I got a pipeline across it. We can't
11 use that, you know. So, there I go, I'm
12 restricted forever without the use of this
13 land.

14 There's a lot of land in here that's
15 swamp land and will never be no good. The
16 farmland -- if this country don't wake up,
17 the people, the farmers, we gonna be in a bad
18 situation 'cause that's - I heard on the
19 news the other day about in the next 10 or 15
20 years the United States will be a big
21 importer of food. So, if they want to come
22 in here and destroy our farmland to go across
23 it where it's easy going, there's no trees to
24 interfere with this, we got clear sailing, we
25 gonna go across it.

1 Well, one day somebody's gonna be
2 hungry. I'm probably not gonna be, y'all are
3 probably not gonna be, but our grandkids.
4 And I think of my grandkids every day. What
5 is this world gonna be like in 50 years?

6 Luckily I live in the country and I'm
7 able to show my children how to raise food.
8 But one day, these city folks are gonna come
9 to the country 'cause they hungry. The next
10 world war won't be over gas, oil or - or
11 religion, it'll be over food. Because when
12 people get hungry, somebody's gonna fight you
13 and you gonna have to protect what you got.

14 So, I can't understand why these
15 pipelines come down through here and have no
16 regard for the farmland and go right through
17 the middle of it, offer you a little token of
18 money, and never pay you another dime. And
19 you go out there and try to keep farming and
20 make a living, and you get on that strip of
21 land there, the three-quarters of a mile and
22 the others over there, that's several acres
23 there. And this here's gonna be across -
24 half a mile across this piece of property on
25 me. And before I know it, there'll be

1 another one come along, stick there beside it
2 and maybe another one 'cause you already got
3 one there.

4 But, y'all can't follow these others.
5 Y'all got to come in here and come - get
6 across us to start with, uh, instead of
7 trying to keep them in - I wouldn't mind
8 coming over there and get on the other two.
9 At least it's already ruined and I done took
10 a lick on it. But, now they gonna come over
11 - there's a mile road running in front of
12 that piece of property. What would it be
13 worth, a road placed on decent property, a
14 mile frontage on it, in years to come? It's
15 worth a lot of money. But, it ain't gonna be
16 with a pipeline across it because
17 restrictions.

18 And I don't know what size pipe they
19 gonna put in the ground. They talk about a
20 thin wall 'cause it's over land. Well, what,
21 50 years from now it's liable to be a city.
22 Well, we can't put a city there because they
23 done stuck a thin wall pipe out there. We
24 don't know what they gonna do it. We
25 probably ain't gonna have no say so on it; on

1 either the thickness or grade of the pipe.

2 And one other thing; my daughter's a
3 school bus driver and she said that if that
4 school bus stops - shuts down within a area
5 of a pipeline, do not crank it up because it
6 could backfire, and they had a - she
7 understood they had a explosion in Texas
8 where a school bus shut down and they cranked
9 it up and the gas leaked and the pipeline had
10 blowed (sic) up. So, that's another restrict
11 - thing about a pipeline, it's not - it's
12 not safe to, uh -

13 I have - and I mentioned about this
14 16th Section here. I mean, that's -- that
15 land belongs to the citizens of Alabama.
16 They going diagonally across it. This
17 company - one company coming out the other
18 company, because there's no trees on it.
19 It's wide open. My land is wide open. The
20 sewer's back here. It's about a three mile
21 area of wide open land where they got in
22 there, they making zig-zags and 90 degree
23 turns. We're gonna -- We're gonna go where
24 we ain't gotta dig no trees up.

25 So, I mean, I'm just one little man

1 out here trying to defend my property that I
2 bought, paid for, worked for, all these years
3 and then have this come sit down on top of
4 it. And I probably ain't got no - I
5 probably lost my time coming up here tonight.
6 But, I had to come up here and talk to y'all.
7 I been here before. This gentleman right
8 here (indicating), I think was here before.
9 I remember you.

10 So, I don't know, we're trying to see
11 if they will move this thing, but I don't
12 know what the outcome - I guess it's all set
13 in - Is it set? When is the final say-so
14 about where the lines go?

15 MR. BUTTON: Well, sir, I very much
16 want to, uh, get you and, uh, some of the
17 senior people with, uh, Duke Energy together
18 and the lands people to, uh, uh - well, to
19 get a better explanation to the detailed
20 planning which has gone on in terms of the
21 reasons for the selection of the route they
22 proposed across your land and the
23 consideration that's been given to some of
24 the alternatives that you've put forward.
25 Because you do indeed have a right to a full

1 explanation of what the, uh, evaluation -
2 the ongoing evaluation of where the new lines
3 go. It's not a final thing yet. And, uh -

4 MR. MIDDLETON: When is the deadline?
5 When will y'all make a decision about -

6 MR. BUTTON: Well, the, uh, final
7 decision will be made by the Commissioners
8 themselves after the preparation of the Final
9 Environmental Impact Statement.

10 MR. MIDDLETON: Is that about August
11 when that - that's coming up?

12 MR. BUTTON: That would be within the
13 range of August, September that is - that's
14 the current schedule for that.

15 MR. MIDDLETON: You still gonna go
16 make this in to the committee some more?

17 MR. BUTTON: Pardon me?

18 MR. MIDDLETON: You still going to
19 forward this to the committee yourself?

20 MR. BUTTON: Yes. The recommend -
21 the, uh - the route will be evaluated by the
22 Commission. A final decision has not yet
23 been made, sir.

24 MR. MIDDLETON: Thank you, sir.

25 MR. BUTTON: Thank you for your

1 comments.

2 (Clapping.)

3 MR. BUTTON: Those were the, uh, first
4 two speakers who signed up before. Libby,
5 has anybody else signed up?

6 MS. CLAGGETT: No other speakers have
7 signed up.

8 MR. BUTTON: Would somebody else like
9 to speak for the Record at this time? Please
10 do state your name.

11 MS. NEWELL: I am Barbara Newell and I
12 represent Frances Beasley from Copiah County
13 and we're representing the Beasley Family
14 Trust. As this gentleman just spoke and
15 said, SESH - we have contacted SESH, we have
16 contacted FERC and our property, too, is
17 being cut in two by this pipeline. We have
18 met with Ron Cook. We have, uh - Ron Miller
19 and Art Cook. And they sat at my mother's
20 kitchen table and told us that it would be
21 too expensive for them to move the pipeline
22 on our property where we had asked them.
23 Now, we're not asking them to take the
24 pipeline completely off our property, but we
25 have given them an alternative route.

1 My sister has written letters, we get
2 no response. So, I go on Record and ask:
3 What happens to the environment if the
4 pipeline should explode? What would be the
5 impact - what would happen 500 feet from the
6 point of explosion? Can anyone answer that
7 question for me? What happens 1,000 feet
8 from the point of explosion?

9 UNIDENTIFIED SPEAKER: All hell breaks
10 loose.

11 MS. NEWELL: In Copiah County, when
12 this pipeline was first represented and my
13 mother was approached, they told us it was
14 going to be a 36-inch pipeline. Now it's
15 going to be a 42-inch pipeline. The wall
16 thicknesses have changed. There are a lot of
17 - there is a lot of information on the
18 internet about safety, and yet I get boxes of
19 mail saying how safe a pipeline is. Well,
20 I'm beginning to think it's not that safe.
21 Are they just trying to cram it down our
22 throats saying how safe it is. And I agree
23 with Mr. Middleton when he states how well
24 they keep up the pipeline lines. That is a
25 big concern of me.

1 My mother is terrified of gas. We
2 have asked them to move the pipeline, and
3 we're getting very little response. It has
4 been moved a few hundred feet, but she - uh,
5 my mother will soon be 79 years old. And
6 putting my mother in this type of environment
7 and danger - life is priceless. But, I want
8 to ask a question and I want it to go on
9 Record: How can CenterPoint Energy and the
10 other gas company put a price on life? Thank
11 you.

12 (Clapping.)

13 MR. BUTTON: Is there anyone else who
14 would like to speak for the Record?

15 (No response.)

16 MR. BUTTON: Well, thank you very much
17 for, uh - for coming out. As I said, we
18 will - we will stay, uh, here for as long as
19 people are interested in asking questions and
20 we'll provide what answers we can.

21 At this juncture, the formal Record
22 is closed. Thank you so much for coming out,
23 I appreciate it very much.

24 (Whereupon, the meeting adjourned at
25 6:40 p.m.)

1 R E P O R T E R ' S P A G E

2 I, Lisa Bell, Certified Court
3 Reporter, in and for the State of
4 Mississippi, the officer, as defined in
5 Section 9-13-101 of the Mississippi Rules of
6 Civil Procedure, before whom this proceeding
7 was taken, do hereby state on the Record:

8 That due to the interaction in the
9 spontaneous discourse of this proceeding,
10 dashes (--) have been used to indicate
11 pauses, changes in thought, and/or talkovers;
12 that same is the proper method for a Court
13 Reporter's transcription of proceeding, and
14 that the dashes (--) do not indicate that
15 words or phrases have been left out of this
16 transcript;

17 That any words and/or names which
18 could not be verified through reference
19 material have been denoted with the phrase
20 "(phonetic)."

21

22

23 Lisa Bell, CCR, CVR, CSR #1713

24 Certified Court Reporter

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C E R T I F I C A T E

This certification is valid only for a transcript accompanied by my original signature and license number.

I, Lisa Bell, Certified Court Reporter, in and for the State of Mississippi, as the officer before whom this proceeding was taken, do hereby certify that this proceeding was reported by me in the Stenomask method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

That I am not related to counsel or to the parties herein; am not otherwise interested in the outcome of this matter; and am a valid member in good standing of the Mississippi State Board of Certified Court Reporters.

Lisa Bell, CCR, CVR, CSR #1713
Certified Court Reporter